

**IN THE UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF MISSISSIPPI  
SOUTHERN DIVISION**

<b>CHRISTINE MOSQUITO, as Executrix of the Estate of QUINTON D. MOSQUITO,</b>	)	
	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>Vs.</b>	)	<b>Case Number CV-09-277-HSO-JMR</b>
	)	
<b>PATE STEVEDORE CO., INC.;</b>	)	
<b>PASCAGOULA-MOSS POINT</b>	)	
<b>STEVEDORES, ILA PENSION PLAN;</b>	)	
	)	
<b>Defendant.</b>	)	

**MOTION TO ALLOW AMENDED COMPLAINT**

COME NOW the Plaintiff and moves this Court to allow Plaintiff's Amended Complaint attached hereto and would show unto this Honorable Court as follows:

1. Plaintiff would like to add an alternative theory that Quinton D. Mosquito is still alive and add an equitable count of unjust enrichment to the Complaint.

WHEREFORE, Plaintiff respectfully requests that this Honorable Court grant the Motion to Amend Complaint.

s/ Jason C. Johnston

Jason C. Johnston  
Attorney for Plaintiff

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**CERTIFICATE OF SERVICE**

I hereby certify that on this the 26<sup>th</sup> day of August 2009, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

Vincent J. Castigliola, Jr.  
H. Benjamin Mullen  
Bryan, Nelson, Schroeder,  
Castigliola & Banahan, PLLC  
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Pascagoula, MS 39568

s/ Jason C. Johnston  
Jason C. Johnston